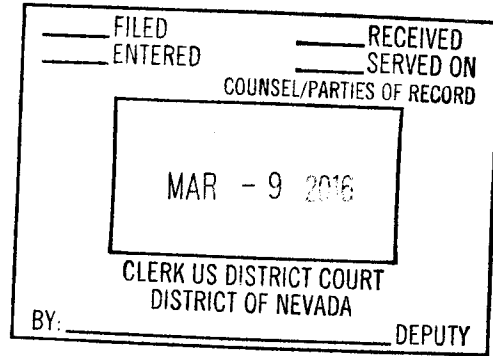


SEALED

Office of the United States Attorney
District of Nevada
333 Las Vegas Blvd., South, Ste. 5000
Las Vegas, Nevada 89101
(702) 388-6336



DANIEL G. BOGDEN
United States Attorney
District of Nevada
JIAMIN CHEN
Assistant United States Attorney
333 Las Vegas Boulevard South
Suite 5000
Las Vegas, Nevada 89101
702-388-6603

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

-oOo-

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CURTIS POPE and
CHARLES WURM,

Defendants.

) **SEALED CRIMINAL INDICTMENT**

) 2:16-cr- 70

) **VIOLATIONS:**

) 18 U.S.C. § 1349 – Conspiracy to Commit
Wire Fraud

) 18 USC § 1343 – Wire Fraud

) 18 U.S.C. § 981(a)(1)(C) – Forfeiture

THE GRAND JURY CHARGES THAT:

The Scheme to Defraud

At all times relevant to this Indictment:

1. From in or about June 2010, to at least in or about August 2011, in the State and
Federal District of Nevada and elsewhere,

**CURTIS POPE and
CHARLES WURM,**

defendants herein, did devise, intend to devise, and participate in a scheme and artifice to
defraud, and for obtaining money and property by means of material false and fraudulent
pretenses, representations and promises, which scheme and artifice involved wrongfully

1 obtaining propriety data, including valuable customer leads, from Selling Source, LLC and
2 attempting to profit from such data.

3 2. The object of the scheme and artifice was to wrongfully obtain money from the
4 sale of stolen Selling Source data.

5 3. It was part of the scheme and artifice that:

6 a. POPE and WURM agreed with co-conspirators KATHERINE
7 KAPLAN and KIMBERLY BAXA to wrongfully obtain data from Selling Source.

8 b. KAPLAN and BAXA provided to POPE and WURM propriety
9 data, including valuable customer leads, belonging to Selling Source.

10 c. POPE provided payment to KAPLAN and BAXA for the stolen
11 Selling Source data.

12 d. At least some of the stolen Selling Source data was uploaded to
13 WURM's account on Dropbox.

14 e. POPE and WURM attempted to enter into a business partnership
15 with J.R. and J.R.'s company Leadmesh whereby Leadmesh would aggregate and broker the
16 stolen customer leads to lenders.

17 **COUNT ONE**

18 ***Conspiracy to Commit Wire Fraud***

19 4. The Grand Jury incorporates Paragraphs One through Three as though fully set
20 forth herein.

1 5. From in or about June 2010, to at least in or about August 2011, in the State
2 and Federal District of Nevada and elsewhere,

3 **CURTIS POPE and**
4 **CHARLES WURM,**

5 defendants herein, did knowingly and willfully combine, conspire, and agree with each other and
6 with others to transmit and cause to be transmitted by means of wire communications in
7 interstate and foreign commerce documents, signals, and information for purposes of executing a
8 scheme and artifice to defraud and for obtaining money and property by means of materially
9 false and fraudulent pretenses, representations, and promises.

10 **Object of the Conspiracy**

11 6. The object of the conspiracy was to devise, intend to devise, and participate in a
12 material scheme and artifice to defraud and for obtaining money and property by means of false
13 and fraudulent pretenses, representations and promises by wrongfully obtaining data from
14 Selling Source, LLC and attempting to profit from such data.

15 All in violation of Title 18, United States Code, Section 1349.

16 **COUNTS TWO THROUGH THREE**
17 ***Wire Fraud***

18 7. The Grand Jury incorporates Paragraphs One through Six as though fully set forth
19 herein.

1 8. For the purpose of executing the scheme and artifice to defraud, and for obtaining
2 money and property, and attempting to do so, on or about the dates set forth below,

3 **CURTIS POPE and**
4 **CHARLES WURM,**

5 defendants herein, did knowingly transmit and cause to be transmitted by means of wire
6 communication in interstate and foreign commerce certain signs, writings, and signals identified
7 below, with each wire constituting a separate violation of Title 18, United States Code, Section
8 1343:

9 a. Count 2: On March 13, 2011, POPE sent an email to KAPLAN stating, in
10 part, "Good morning please give me a call today if you have time? [Unindicted co-conspirator
11 F.L. whose identity is known to the grand jury] needs you to provide a full accounting of all
12 deposit's (sic), wires and cash paid to you..."

13 b. Count 3: On June 21, 2011, POPE sent an email to J.R. stating, in part,
14 "Please take a look!!" and forwarding an email from KAPLAN stating, in part, "Attached is a zip
15 file of creatives" with a compressed "zip" file attachment which contains data belonging to
16 Selling Source that KAPLAN wrongfully obtained.

17 **COUNT FOUR**
18 ***Wire Fraud***

19 9. The Grand Jury incorporates Paragraphs One through Eight as though fully set
20 forth herein.
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1 10. On or about June 9, 2011 in the State and Federal District of Nevada and
2 elsewhere,

3 **CURTIS POPE and**
4 **CHARLES WURM**

5 defendants herein, for the purpose of executing and attempting to execute the scheme and artifice
6 to defraud and to for obtaining money and property, did knowingly transmit and cause to be
7 transmitted by means of wire communication in interstate and foreign commerce certain signs,
8 writings, and signals, that is defendant WURM placed a telephone call to an account manager for
9 Leadmesh, located in Seattle, Washington, and stated that he could sell a considerable amount of
10 leads, all in violation of Title 18, United States Code, Section 1343.

11 **DATED:** this 9th day of March 2016.

12 **A TRUE BILL:**

13
14
15 /S/
16 FOREPERSON OF THE GRAND JURY

17 DANIEL G. BOGDEN
18 United States Attorney

19 JIAMIN CHEN
20 Assistant United States Attorney
21
22
23
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